

Exhibit 3

Reply Brief in Support of Safer Al-Hawali's
Motion to Dismiss the Third Amended Complaint

03 MDL No. 1570 (RCC) / C.A. No. 03-CV-9849 (RCC)

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF IDAHO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SAMI OMAR AL-HUSSAYEN,

Defendant.

CASE NO: CR03-048-C-EJL

VERDICT

We, the jury, unanimously find Sami Omar Al-Hussayen:

Count One –

Part A: Conspiracy to Provide and Conceal Material Support or Resources to
Terrorists from on or about September 13, 1994 to on or about February 26, 2003
(18 U.S.C. §371)

☒ Not Guilty

☐ Guilty

Part B: Conspiracy to Provide and Conceal Material Support or Resources to
Terrorists from on or about October 26, 2001 to on or about February 26, 2003
(18 U.S.C. §§371 & 2339A)

☒ Not Guilty

☐ Guilty

Count Two – Providing and Concealing Material Support and Resources to Terrorists
(18 U.S.C. §2339A)

☒ **Not Guilty**

☐ **Guilty**

Count Three – Conspiracy to Provide Material Support and Resources to a Designated
Foreign Terrorist Organization (18 U.S.C. §2339B)

☒ **Not Guilty**

☐ **Guilty**

Count Four – False Statement to the United States (18 U.S.C. §§1001(a)(2) & 3238)

☒ **Not Guilty**

☐ **Guilty**

Count Five – Visa Fraud (18 U.S.C. §§1546(a) & 3238)

☒ **Not Guilty**

☐ **Guilty**

If you found the defendant not guilty on both of Counts Four and Five, move on to Count Seven. If you found the defendant guilty on either or both of Counts Four and/or Five, move on to Count Six.

Count Six – Visa Fraud (18 U.S.C. §§1546(a) & 3237)

☐ **Not Guilty**

☐ **Guilty**

Count Seven – False Statement to the United States (18 U.S.C. §§1001(a)(2) & 3238)

____ **Not Guilty**

____ **Guilty**

Count Eight – Visa Fraud (18 U.S.C. §§1546(a) & 3238)

____ **Not Guilty**

____ **Guilty**

If you found the defendant not guilty on both of Counts Seven and Eight, move on to Count Ten. If you found the defendant guilty on either or both of Counts Seven and/or Eight, move on to Count Nine.

Count Nine – Visa Fraud (18 U.S.C. §§1546(a) & 3237)

____ **Not Guilty**

____ **Guilty**

Count Ten – False Statement to the United States (18 U.S.C. §§1001(a)(2) & 3238)

____ Not Guilty

____ Guilty

Count Eleven – Visa Fraud (18 U.S.C. §§1546(a) & 3238)

____ Not Guilty

____ Guilty

Count Twelve – False Statement to the United States (18 U.S.C. §§1001(a)(2) & 3238)

____ Not Guilty

____ Guilty

Count Thirteen – Visa Fraud (18 U.S.C. §§1546(a) & 3238)

____ Not Guilty

____ Guilty


If you found the defendant not guilty on each of Counts Ten, Eleven, Twelve, and Thirteen, please sign and date the verdict form. If you found the defendant guilty on any one of Counts Ten, Eleven, Twelve, or Thirteen, move on to Count Fourteen.

Count Fourteen – Visa Fraud (18 U.S.C. § 1546(a) & 3237)

____ Not Guilty

____ Guilty

DATED this 10th day of June, 2004.



Foreperson